

REMARKS

Claims 23 to 31 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over USPN 6,785,724 (*Drainville*) in view of USPN 6,317,831 (*King*).

Applicant has amended independent claims 23 to 26, 28, 29 and 31 to take into account the decision of the Board of Appeals. Dependent claims 32 through 34 has also been added to the case.

The Board of Appeals has indicated that the Examiner's rejection of claim 23 was sustained because claim 23 does not require that a communication for awakening a computer be sent directly from a client to the computer with no intervening or intermediary devices. See the Board Decision dated December 11, 2007, at page 7. Applicant has amended independent claims 23, 26 and 29 to very specifically state that the portable computer is awakened from a sleep mode in response to the portable computer receiving a wireless communication directly from the handheld device with no intervening devices and no intermediary devices.

Below, Applicant discusses subject matter in each of the independent claims not disclosed or suggested by the cited art. Applicant believes all the claims are patentable over the cited art.

Independent Claim 23:

In independent claim 23, the portable computer is awakened from a sleep mode in response to the portable computer receiving a wireless

communication directly from the handheld device with no intervening devices and no intermediary devices. This is not disclosed or suggested by the cited art.

Substituting a handheld device for the client in *Drainville* would not result in the disclosure or suggestion of this subject matter of claim 23. In *Drainville*, client 10 does not communicate with the on-demand web server 22 until after web server 22 has been awakened by the tapping server. Therefore, no communications (wireless or otherwise) from client 10 is used to wake up the on-demand server.

Independent Claim 26:

Independent claim 26 sets out that the portable computer is awakened from a sleep mode in response to the portable computer receiving a wireless communication directly from the handheld device with no intervening devices and no intermediary devices. None of the cited art discloses or suggests this.

As discussed above, substituting a handheld device for the client in *Drainville* would not result in the disclosure or suggestion of this subject matter of claim 26. In *Drainville*, client 10 does not communicate with the on-demand web server 22 until after web server 22 has been awakened by the tapping server. Therefore, no communications (wireless or otherwise) from client 10 is used to wake up the on-demand server.

Independent Claim 29:

Independent claim 29 sets out storage media storing software which when executing on a portable computer performs a method by which the portable computer responds to a wireless communication from a handheld device.

In independent claim 29, the portable computer is awakened from a sleep mode in response to the portable computer receiving a wireless communication directly from the handheld device with no intervening devices and no intermediary devices. None of the cited art discloses or suggests this.

As discussed above, substituting a handheld device for the client in *Drainville* would not result in the disclosure or suggestion of this subject matter of claim 26. In *Drainville*, client 10 does not communicate with the on-demand web server 22 until after web server 22 has been awakened by the tapping server. Therefore, no communications (wireless or otherwise) from client 10 is used to wake up the on-demand server.

Conclusion

Applicant believes that this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

JEFFREY R. OAR
GREGORY J. MAY

By Douglas L. Weller
Douglas L. Weller
Reg. No. 30,506

January 10, 2008
Santa Clara, California
(408) 985-0642